

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re Lion Air Flight JT 610 Crash

Lead Case: 1:18-cv-07686

Honorable Thomas M. Durkin

This filing applies to  
All Cases

**THE BOEING COMPANY'S EIGHTH STATUS REPORT  
ON REMAINING INDIVIDUAL ACTIONS**

Pursuant to the Court's Minute Entry of March 10, 2021, Boeing hereby provides an updated report on the number and status of the remaining claims.

As previously reported, the parties have fully or partially settled the claims filed in this Court on behalf of 182 decedents from the tragic Lion Air Flight JT610 accident. Another claim was fully settled without litigation being filed. These results were achieved through good faith negotiations and the assistance of the mediator, Judge Donald O'Connell. There are now four decedents for whom the claims have not yet settled. For one additional decedent, Boeing continues to negotiate with one remaining claimant while all other claims relating to that decedent have settled.

Since the last status report, Boeing has worked diligently with plaintiffs' counsel to fully document the settlements that have been reached so far. In addition, settlement discussions on the few unsettled claims continue as Boeing continues to work with claimants to discuss resolution of their claims. To facilitate these discussions, a mediation has been scheduled for late May in one of the remaining unsettled cases. In another unsettled case, plaintiffs asked to defer mediation until they can provide an expert report on the alleged economic damages; Boeing expects a mediation to be scheduled promptly once that is completed. Finally, as the Court is

aware, settlement discussions have been delayed in one case due to the recent, tragic death of the decedent's father who was also the guardian of the decedent's son. Boeing does not believe that an impasse has been reached in any of the ongoing settlement discussions.

Given the progress, Boeing respectfully requests that the Court continue the stay to allow for continued settlement discussions on the remaining claims and set a deadline of Friday, July 9, 2021, for Boeing's next status report.

### **Background**

The Plaintiffs and Boeing committed at the outset to negotiate in good faith to settle these claims for full compensatory damages under the applicable law as assessed based on the facts and circumstances of each case. May 17, 2019 Joint Case Management Report at 1. The Court adopted the parties' proposal and struck all pending deadlines in the litigation to allow the settlement negotiations and mediations to proceed. May 20, 2019 Docket Entry. The parties then began mediating with the assistance of mediator Hon. Donald O'Connell, former Chief Judge of the Circuit Court of Cook County. The first mediation was held on July 16, 2019. The parties have made substantial progress resolving claims, including using virtual mediations due to the COVID-19 pandemic.

### **Status of Individual Actions**

Detailed information on the filed cases is provided below, but the following charts provide a high-level summary of the status of the claims brought in the litigation.

<b>By Action</b>	
Dismissed	70
Expected to be Dismissed	10
Remaining	7
<b>Total</b>	<b>87</b>

By Decedent	
Fully Settled	181
Partially Settled	1
Fully Unsettled	4
<b>Total</b>	<b>186</b>

To date, 87 individual actions arising out of the October 29, 2018 accident involving Lion Air Flight JT 610 have been filed in or removed to this Court. The complaints in these actions assert wrongful death and other claims on behalf of 186 different decedents out of the 189 people who were on board Lion Air Flight 610.<sup>1</sup> The parties have fully or partially settled—and are at various stages of finalizing (as discussed below)—claims on behalf of 182 of the 186 decedents on whose behalf claims have been filed.

The claims relating to 137 decedents have been settled and fully dismissed, either as a result of a stipulation of dismissal or a motion for approval of the settlement. These stipulations and motions resulted in full dismissal of 70 of the 87 actions filed so far, leaving 17 individual actions that are currently open. A list of those 17 actions follows below. The 17 open actions involve claims on behalf of 49 different decedents.

Of the claims for 49 decedents in the open actions, the plaintiffs and Boeing have fully or partially settled the claims for 45 of those decedents. These settlements are in the process of being fully documented. Boeing expects that these settlements will lead to additional stipulations of dismissal and motions for approval of the settlements in the near future. Boeing expects that the dismissal of these claims will include the full dismissal of 10 of the 17 currently open

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<sup>1</sup> Although the claims relating to some decedents have been included in multiple, separate actions, there are 186 different, unique decedents represented in the cases filed to date.

actions.<sup>2</sup> Boeing is engaged in settlement discussions and/or mediations with plaintiffs' counsel on the remaining claims.

Considering all claims without regard to whether the claims have been filed in this Court yet or not, 183 claims have fully or partially settled. This total includes one claim that settled prior to suit being filed. Boeing has not been presented with claims for two of the decedents on the aircraft.

**List of Currently Open Actions**

CASE NO.	CASE NAME
1:18-cv-07686	In re: Lion Air Flight JT 610 Crash Saputra, et al. v. The Boeing Company
1:19-cv-01552	Chandra v. The Boeing Company
1:19-cv-01588	Ellisa v. The Boeing Company
1:19-cv-01601	Subekti v. The Boeing Company
1:19-cv-01623	Pranata v. The Boeing Company
1:19-cv-01701	Wijaya, et al. v. The Boeing Company
1:19-cv-02764	Oktaviani, et al. v. The Boeing Company
1:19-cv-02774	Agnes Tjandra, et al. v. The Boeing Company
1:19-cv-02919	Rosanna Simarmata, et al. v. The Boeing Company
1:19-cv-05217	Komar, et al. v. The Boeing Company
1:19-cv-05220	Liyanah, et al. v. The Boeing Company
1:19-cv-07091	Smith, et al. v. The Boeing Company, et al,
1:20-cv-02643	Abidin, et al. v. The Boeing Company
1:20-cv-04137	Suryati v. The Boeing Company

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<sup>2</sup> One of the decedents with unsettled claims is represented in four different actions filed before this Court.

CASE NO.	CASE NAME
1:20-cv-05498	Sethi v. The Boeing Company
1:20-cv-05773	Khan v. The Boeing Company
1:20-cv-06380	Rejeki et al. v. The Boeing Company

### Conclusion

With the assistance of Judge O'Connell and the patience and guidance of the Court, the parties have settled all but a few of the Lion Air claims. Boeing does not believe that an impasse exists with respect to any of the remaining claims. For the reasons stated above, Boeing respectfully requests that the Court continue to stay the litigation and set a deadline of July 9, 2021 for Boeing's next status report.

DATED: May 7, 2021

**THE BOEING COMPANY**

By: /s/ Mack H. Shultz, Jr.  
*One of its Attorneys*

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**CERTIFICATE OF SERVICE**

I, Mack H. Shultz, Jr., certify that on May 7, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record. I also certify that I served the foregoing by email to the following attorneys:

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I certify under penalty of perjury that the foregoing is true and correct.

DATED this 7th day of May 2021.

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